

**WEDNESDAY, MARCH 6, 1996**

**SEVENTIETH LEGISLATIVE DAY**

The House met at 2:00 p.m. and was called to order by Mr. Speaker Naifeh.

The proceedings were opened with prayer by Jerry Mansfield.

Representative Fowlkes led the House in the Pledge of Allegiance to the Flag.

**ROLL CALL**

The roll call was taken with the following results:

Present ..... 96

Representatives present and not voting were: Armstrong, Arriola, Beavers, Bell, Bird, Bittle, Bowers, Boyer, Bragg, Brooks, Brown, Buck, Burchett, Byrd, Callicott, Cantrell, Chumney, Clabough, Coffey, Cross, Curtiss, Davidson, Davis, DeBerry, J., DeBerry, L., Duer, Dunn, Eckles, Fitzhugh, Ford, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Head, Herron, Hicks, Huskey, Jones, R. (Shelby), Jones, S., Jones, U. (Shelby), Joyce, Kent, Kernell, Kerr, Kisber, Langster, Lewis, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Napier, Newton, Odom, Patton, Peach, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Roach, Robinson, Sharp, Shirley, Stamps, Stulce, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, White, Whitson, Williams (Union), Williams (Williamson), Windle, Winningham, Wood, Mr. Speaker Naifeh -- 96.

**EXCUSED**

The Speaker announced that the following member(s) has/have been excused, pursuant to request(s) under **Rule No. 20**:

Representative Cole(Carter); personal reasons.

Representative Cole(Dyer); business reasons.

**PERSONAL ORDERS**

**RECOGNITION**

Rep. Ford was recognized in the well by Mr. Speaker Naifeh for the purpose of introducing Jason Reese.

**RULES SUSPENDED**

Rep. Ford moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 459 out of order, which motion prevailed.

**House Joint Resolution No. 459** -- Memorials, Personal Achievement - Jason Bradley Reese, National Youth of the Year by Boys and Girls Clubs of America. by \*Ford S.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Ford, the resolution was adopted.

A motion to reconsider was tabled.

**SPONSORS ADDED**

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

**House Bill No. 2019:** Rep(s). Kent as prime sponsor(s).

**House Bill No. 2024:** Rep(s). Williams(Union), Roach, Haley, Ramsey, McKee, Shirely as prime sponsor(s).

**House Bill No. 2063:** Rep(s). Givens and Turner(Hamilton) as prime sponsor(s).

**House Bill No. 2309:** Rep(s). Pruitt as prime sponsor(s).

**House Bill No. 2333:** Rep(s). Williams(Union) as prime sponsor(s).

**House Bill No. 2356:** Rep(s). Pruitt as prime sponsor(s).

**House Bill No. 2673:** Rep(s). Shirley, Roach, Peach, Beavers, Kent, Curtiss, McKee, Ramsey, Haley and Williams(Union) as prime sponsor(s).

**MESSAGE FROM THE SENATE**

**March 5, 1996**

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 70, 1782, 2069, 2082, 2171, 2322, 2339, 2495, 2505, 2524, 2563, 2660, 2816, 2868, 2946, 2978, 2995, 3036 and 3063; all passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**\*Senate Bill No. 70** -- Education - Allows commissioner of education to grant one-year extension for principals and administrators for required attendance at principal-administrator academy. Amends TCA 49-5-5703. by \*Haun.

**Senate Bill No. 1782** -- Sports - Exempts Tennessee Ocoee Development Agency from requirements to develop purchasing, contracting and personnel procedures prior to implementation in preparation for 1996 Olympic event due to short time to accomplish task of

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hosting Olympic event. Amends TCA Title 64. by \*Miller J, \*Haun, \*McNally, \*Atchley, \*Carter, \*Person, \*Crowe.

**Senate Bill No. 2069** -- Mining and Quarrying - Requires person from each licensed mining operation be trained and available as mine rescue corps substitute worker. Amends TCA Title 59. by \*McNally, \*Holcomb, \*Miller J, \*Fowler, \*Elsea, \*Carter, \*Crowe, \*Rice, \*Koella, \*Gilbert, \*Atchley, \*Haun.

**\*Senate Bill No. 2082** -- Credit Unions - Specifies that foreign credit unions that only make use of shared service center and/or electronic network in Tennessee to provide services not deemed to be maintaining offices in Tennessee and not subject to Tennessee law regarding opening and maintaining of offices by foreign credit unions. Amends TCA Section 45-4-1904. by \*Rochelle.

**Senate Bill No. 2171** -- Crime, Victims of - Requires department of correction to notify victim at least 90 days prior to release of inmate with sentence of two years or more if inmate being released because sentence expires. Amends TCA Section 40-38-103 and Title 41, Chapter 21, Part 2. by \*Cohen.

**\*Senate Bill No. 2322** -- Mass Transit - Requires comptroller to complete study of disparities between inner-city neighborhoods and other urban areas in receipt of mass transit funding by 7/1/97; requires executive agencies and metropolitan planning organizations to cooperate with such study. Amends TCA Title 4 and Title 55. by \*Dixon, \*Harper.

**\*Senate Bill No. 2339** -- Emergency Communications Districts - Changes composition of Shelby County emergency communication district boards to include actively engaged firefighter, police officer and emergency medical technician; increases representation on board from one of these professionals to all of them. Amends TCA Title 7, Chapter 86. by \*Dixon.

**Senate Bill No. 2495** -- Handicapped Persons - Expands exemption under public property definition where visually impaired persons have priority in operation of vending facilities to include higher education institutions. Amends TCA Section 71-4-502(4). by \*Rochelle, \*Ford J.

**Senate Bill No. 2505** -- Teachers - Allows retired teachers to work as substitute teachers without renewing teaching certification. Amends TCA Section 49-3-312. by \*Haun.

**Senate Bill No. 2524** -- Election Laws - Authorizes registration in city or county if residence located on property located in both city and unincorporated area of the county. Amends TCA Title 2. by \*Haynes.

**Senate Bill No. 2563** -- Education - Authorizes pilot alternative school program for K-12 in three systems of 7,000 or less, one in each grand division to determine most effective methods; appropriates \$25,000 each. Amends TCA Title 49, Chapter 6. by \*Womack, \*Harper.

**\*Senate Bill No. 2660** -- Juvenile Offenders - Requires juvenile court clerk to make audio recording of all hearings to determine whether juvenile should be transferred to criminal court to stand trial as adult. Amends TCA Section 37-1-134. by \*Person.

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**\*Senate Bill No. 2816** -- Drug and Alcohol Rehabilitation - Directs change of credentials for alcohol and drug abuse counselors from "certification" to "licensure." Amends TCA Title 68, Chapter 24, Part 6. by \*Crutchfield, \*Person.

**\*Senate Bill No. 2868** -- Highways, Roads and Bridges - Includes segment of U.S. 41, Hamilton County, known as "Cummings Highway" in scenic highway system. Amends TCA Title 54, Chapter 17. by \*Crutchfield.

**Senate Bill No. 2946** -- Zoning - Authorizes counties having charter form of government to amend zoning ordinances by resolution; validates certain previously enacted zoning amendments which were accomplished by resolution rather than ordinance. Amends TCA Title 5, Chapter 1, Part 2 and Section 13-7-105. by \*Ford J.

**\*Senate Bill No. 2978** -- Lobbying, Lobbyists - Authorizes acceptance of food and beverages at conference events if such events are part of program at conferences held by umbrella organizations of elected public officials and staff. Amends TCA Section 3-6-114(b)(8). by \*Henry.

**\*Senate Bill No. 2995** -- Loan Companies - Requires title pledge lenders to utilize standardized consumer notification and disclosure forms prior to entering into any property pledge agreement or title pledge agreement wherein pledged property consists of motor vehicle. Amends TCA Title 45, Chapter 15, Part 1. by \*Atchley.

**\*Senate Bill No. 3036** -- Municipal Government - Establishes mechanism to authorize, by 2/3 vote of legislative body, revocation of approval for election of city judge who is licensed attorney, giving concurrent jurisdiction to judge with courts of general sessions with retention of all fees to be paid into treasury of city. Amends TCA Section 6-21-501. by \*Fowler.

**\*Senate Bill No. 3063** -- Loan Companies - Redefines "pawn broker" to include limited liability partnerships and limited liability companies. Amends TCA Title 45. by \*Ford J.

**MESSAGE FROM THE GOVERNOR**

**March 5, 1996**

MR. SPEAKER: I am directed by the Governor to return herewith: House Bill(s) No(s). 2660, with his approval.

HARDY MAYS, Counsel to the Governor.

**SIGNED**

**March 5, 1996**

The Speaker signed the following: Senate Bill(s) No(s). 1830, 1959, 1983, 1985, 2310, 2425, 2444, 2446, 2588, 2589, 2623, 2639 and 2856; also, Senate Joint Resolution(s) No(s). 333, 337 and 338.

**SIGNED**

**March 5, 1996**

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The Speaker signed the following: Senate Bill(s) No(s). 2060, 2276 and 2705.

**MESSAGE FROM THE SENATE  
March 6, 1996**

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 361; adopted for concurrence.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**Senate Joint Resolution No. 361** -- Memorials, Professional Achievement - Roberts V. Weaver, Jr., President of Automotive Trade Association Executives, by \*Person, \*Atchley, \*Crutchfield, \*Rochelle, \*Hamilton, \*Wilder, \*Burks, \*Carter, \*Cohen, \*Cooper, \*Crowe, \*Dixon, \*Elsea, \*Ford J, \*Fowler, \*Gilbert, \*Harper, \*Haun, \*Haynes, \*Henry, \*Holcomb, \*Jordan, \*Koella, \*Kyle, \*Leatherwood, \*McNally, \*Miller J, \*O'Brien, \*Rice, \*Springer, \*Wallace, \*Womack, \*Wright.

**MESSAGE FROM THE SENATE  
March 6, 1996**

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 362; adopted for concurrence.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**Senate Joint Resolution No. 362** -- Memorials, Death - Sarah Colley Cannon, "Minnie Pearl.", by \*Henry, \*Atchley, \*Burks, \*Carter, \*Cohen, \*Cooper, \*Crowe, \*Crutchfield, \*Dixon, \*Elsea, \*Ford J, \*Fowler, \*Gilbert, \*Hamilton, \*Harper, \*Haun, \*Haynes, \*Holcomb, \*Jordan, \*Koella, \*Kyle, \*Leatherwood, \*McNally, \*Miller J, \*O'Brien, \*Person, \*Rice, \*Rochelle, \*Springer, \*Wallace, \*Wilder, \*Womack, \*Wright.

**MESSAGE FROM THE SENATE  
March 6, 1996**

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 346, 348, 349 and 350; all adopted for concurrence.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**Senate Joint Resolution No. 346** -- Memorials, Public Service - DARE role models, by \*O'Brien, \*Rochelle.

**Senate Joint Resolution No. 348** -- Naming and Designating - "Sir Winston Spencer Churchill Remembrance Day," March 5, 1996, by \*Henry, \*Cohen.

**Senate Joint Resolution No. 349** -- Memorials, Public Service - Laquisha Payne, Prudential Spirit of Community Award recipient, by \*Kyle.

**Senate Joint Resolution No. 350** -- Memorials, Death - Lillie Beard, by \*Jordan, \*Springer.

## INTRODUCTION OF RESOLUTIONS

On motion, pursuant to **Rule No. 17**, the resolution(s) listed was/were introduced and referred to the appropriate Committee:

**House Joint Resolution No. 458** -- Highway Signs - "Murrell O. Carter Memorial Bridge," Holston River, Hawkins County. by \*Givens.

Transportation Committee

## RESOLUTIONS

Pursuant to **Rule No. 17**, the following resolution(s) was/were introduced and placed on the Consent Calendar for March 7, 1996:

**House Resolution No. 186** -- Memorials, Professional Achievement - Cortese Tree Specialists. by \*Dunn.

**House Joint Resolution No. 460** -- Memorials, Sports - Coach Henry Bowles, 600th victory. by \*McAfee.

## SENATE JOINT RESOLUTIONS (Congratulatory and Memorializing)

Pursuant to **Rule No. 17**, the resolution(s) listed was/were noted as being placed on the Consent Calendar for March 7, 1996:

**Senate Joint Resolution No. 346** -- Memorials, Public Service - DARE role models. by \*O'Brien, \*Rochelle.

**Senate Joint Resolution No. 349** -- Memorials, Public Service - Laquisha Payne, Prudential Spirit of Community Award recipient. by \*Kyle.

**Senate Joint Resolution No. 350** -- Memorials, Death - Lillie Beard. by \*Jordan, \*Springer.

**Senate Joint Resolution No. 361** -- Memorials, Professional Achievement - Roberts V. Weaver, Jr., President of Automotive Trade Association Executives. by \*Person, \*Atchley, \*Crutchfield, \*Rochelle, \*Hamilton, \*Wilder, \*Burks, \*Carter, \*Cohen, \*Cooper, \*Crowe, \*Dixon, \*Elsea, \*Ford J, \*Fowler, \*Gilbert, \*Harper, \*Haun, \*Haynes, \*Henry, \*Holcomb, \*Jordan, \*Koella, \*Kyle, \*Leatherwood, \*McNally, \*Miller J, \*O'Brien, \*Rice, \*Springer, \*Wallace, \*Womack, \*Wright.

**Senate Joint Resolution No. 362** -- Memorials, Death - Sarah Colley Cannon, "Minnie Pearl.". by \*Henry, \*Atchley, \*Burks, \*Carter, \*Cohen, \*Cooper, \*Crowe, \*Crutchfield, \*Dixon, \*Elsea, \*Ford J, \*Fowler, \*Gilbert, \*Hamilton, \*Harper, \*Haun, \*Haynes, \*Holcomb, \*Jordan, \*Koella, \*Kyle, \*Leatherwood, \*McNally, \*Miller J, \*O'Brien, \*Person, \*Rice, \*Rochelle, \*Springer, \*Wallace, \*Wilder, \*Womack, \*Wright.

### RESOLUTIONS LYING OVER

On motion, the resolutions(s) listed was/were referred to the appropriate Committee:

**\*Senate Joint Resolution No. 323** -- Memorials, Congress - Urges president, congress and department of justice to secure adequate federal funding for implementing next phase of CASTLE program and maintaining program at present level. by \*McNally, \*O'Brien.

State & Local Government Committee

**Senate Joint Resolution No. 345** -- Naming and Designating - "Legislative Cancer Awareness Day," March 26, 1996. by \*O'Brien, \*Atchley, \*Burks, \*Carter, \*Cohen, \*Cooper, \*Crowe, \*Crutchfield, \*Dixon, \*Elsea, \*Ford J, \*Fowler, \*Gilbert, \*Hamilton, \*Harper, \*Haun, \*Haynes, \*Henry, \*Holcomb, \*Jordan, \*Koella, \*Kyle, \*Leatherwood, \*McNally, \*Miller J, \*O'Brien, \*Person, \*Rice, \*Rochelle, \*Springer, \*Wallace, \*Wilder, \*Womack, \*Wright.

Health & Human Resources Committee

### INTRODUCTION OF BILLS

On motion, the following bills were introduced and passed first consideration:

**House Bill No. 3254** -- Sumner County - Subject to local approval, exempts county from plat requirements on property transferred for construction of public road where easement for private road was in recorded deed prior to January 1, 1987. by \*McDonald, \*Stamps.

**House Bill No. 3255** -- Williamson County - Subject to local approval, grants local governing body authority to set compensation for board of highway commissioners. Amends Chapter 373 of the Private Acts of 1937. by \*Callicott, \*Williams (Williamson).

**House Bill No. 3256** -- Collierville - Subject to local approval, authorizes enactment of hotel/motel tax. Amends Chapter 230, Private Acts of 1988. by \*Haley, \*Shirley.

### SENATE BILLS TRANSMITTED

On motion, the Senate Bills listed below, transmitted to the House, were held on the Clerk's desk pending third consideration of the companion House Bill as noted:

**\*Senate Bill No. 70** -- Education - Allows commissioner of education to grant one-year extension for principals and administrators for required attendance at principal-administrator academy. Amends TCA 49-5-5703. by \*Haun.

**Senate Bill No. 1782** -- Sports - Exempts Tennessee Ocoee Development Agency from requirements to develop purchasing, contracting and personnel procedures prior to implementation in preparation for 1996 Olympic event due to short time to accomplish task of hosting Olympic event. Amends TCA Title 64. by \*Miller J, \*Haun, \*McNally, \*Atchley, \*Carter, \*Person, \*Crowe.

**Senate Bill No. 2069** -- Mining and Quarrying - Requires person from each licensed mining operation be trained and available as mine rescue corps substitute worker. Amends TCA Title 59. by \*McNally, \*Holcomb, \*Miller J, \*Fowler, \*Elsea, \*Carter, \*Crowe, \*Rice, \*Koella, \*Gilbert, \*Atchley, \*Haun.

**\*Senate Bill No. 2082** -- Credit Unions - Specifies that foreign credit unions that only make use of shared service center and/or electronic network in Tennessee to provide services not deemed to be maintaining offices in Tennessee and not subject to Tennessee law regarding opening and maintaining of offices by foreign credit unions. Amends TCA Section 45-4-1904. by \*Rochelle.

**Senate Bill No. 2171** -- Crime, Victims of - Requires department of correction to notify victim at least 90 days prior to release of inmate with sentence of two years or more if inmate being released because sentence expires. Amends TCA Section 40-38-103 and Title 41, Chapter 21, Part 2. by \*Cohen.

**\*Senate Bill No. 2322** -- Mass Transit - Requires comptroller to complete study of disparities between inner-city neighborhoods and other urban areas in receipt of mass transit funding by 7/1/97; requires executive agencies and metropolitan planning organizations to cooperate with such study. Amends TCA Title 4 and Title 55. by \*Dixon, \*Harper.

**\*Senate Bill No. 2339** -- Emergency Communications Districts - Changes composition of Shelby County emergency communication district boards to include actively engaged firefighter, police officer and emergency medical technician; increases representation on board from one of these professionals to all of them. Amends TCA Title 7, Chapter 86. by \*Dixon.

**Senate Bill No. 2495** -- Handicapped Persons - Expands exemption under public property definition where visually impaired persons have priority in operation of vending facilities to include higher education institutions. Amends TCA Section 71-4-502(4). by \*Rochelle, \*Ford J.

**Senate Bill No. 2505** -- Teachers - Allows retired teachers to work as substitute teachers without renewing teaching certification. Amends TCA Section 49-3-312. by \*Haun.

**Senate Bill No. 2524** -- Election Laws - Authorizes registration in city or county if residence located on property located in both city and unincorporated area of the county. Amends TCA Title 2. by \*Haynes.

**Senate Bill No. 2563** -- Education - Authorizes pilot alternative school program for K-12 in three systems of 7,000 or less, one in each grand division to determine most effective methods; appropriates \$25,000 each. Amends TCA Title 49, Chapter 6. by \*Womack, \*Harper.

**\*Senate Bill No. 2660** -- Juvenile Offenders - Requires juvenile court clerk to make audio recording of all hearings to determine whether juvenile should be transferred to criminal court to stand trial as adult. Amends TCA Section 37-1-134. by \*Person.



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**\*Senate Bill No. 2816** -- Drug and Alcohol Rehabilitation - Directs change of credentials for alcohol and drug abuse counselors from "certification" to "licensure." Amends TCA Title 68, Chapter 24, Part 6. by \*Crutchfield, \*Person.

**\*Senate Bill No. 2868** -- Highways, Roads and Bridges - Includes segment of U.S. 41, Hamilton County, known as "Cummings Highway" in scenic highway system. Amends TCA Title 54, Chapter 17. by \*Crutchfield.

**Senate Bill No. 2946** -- Zoning - Authorizes counties having charter form of government to amend zoning ordinances by resolution; validates certain previously enacted zoning amendments which were accomplished by resolution rather than ordinance. Amends TCA Title 5, Chapter 1, Part 2 and Section 13-7-105. by \*Ford J.

**\*Senate Bill No. 2978** -- Lobbying, Lobbyists - Authorizes acceptance of food and beverages at conference events if such events are part of program at conferences held by umbrella organizations of elected public officials and staff. Amends TCA Section 3-6-114(b)(8). by \*Henry.

**\*Senate Bill No. 2995** -- Loan Companies - Requires title pledge lenders to utilize standardized consumer notification and disclosure forms prior to entering into any property pledge agreement or title pledge agreement wherein pledged property consists of motor vehicle. Amends TCA Title 45, Chapter 15, Part 1. by \*Atchley.

**\*Senate Bill No. 3036** -- Municipal Government - Establishes mechanism to authorize, by 2/3 vote of legislative body, revocation of approval for election of city judge who is licensed attorney, giving concurrent jurisdiction to judge with courts of general sessions with retention of all fees to be paid into treasury of city. Amends TCA Section 6-21-501. by \*Fowler.

**\*Senate Bill No. 3063** -- Loan Companies - Redefines "pawn broker" to include limited liability partnerships and limited liability companies. Amends TCA Title 45. by \*Ford J.

**HOUSE BILLS ON SECOND CONSIDERATION**

On motion, bills listed below passed second consideration and were referred by the Speaker to Committee or held on the Clerk's desk as noted:

**House Bill No. 3253** -- Sharon -- Local Bill Held on House Desk

**CAPTION BILLS REFERRED**

Pursuant to **Rule No. 47**, the following Caption Bill(s), 2405, 2409 and 3185 held on the Clerk's desk were referred to the following Committee(s):

**\*House Bill No. 2405** -- Health -- House Commerce Committee

**\*House Bill No. 2409** -- Health, Dept. of -- House Agriculture Committee

**House Bill No. 3185** -- Tattoo Parlors -- House Health & Human Resources Committee

### REPORTS FROM STANDING COMMITTEES

The committees that met on **March 5, 1996**, reported the following:

#### COMMITTEE ON CALENDAR AND RULES

The Calendar and Rules Committee met and set the following bill(s) on the **Regular Calendar for March 7, 1996**: House Bill(s) No(s). 3155, 2839, 1982, 2953, 2017, 2328, 3237, 2520, 2525, 2607, 2448, 2356, 2595, 2733, 3134, 2193 and 2623.

The Committee set the following bill(s) and/or resolution(s) on the **Consent Calendar for March 11, 1996**: House Bill(s) No(s). 2554, 2918, 2798, 2800, 2708, 2309, 2415, 2552, 2182 and 2028.

#### AGRICULTURE

The Agriculture Committee recommended for passage: House Bill(s) No(s). 2455 and 1952. Under the rules, each was transmitted to the Calendar and Rules Committee.

#### COMMERCE

The Commerce Committee recommends for passage: House Bill(s) No(s). 2714, 2416, 2727 and House Joint Resolution No. 241; also House Bill(s) No(s). 2681 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

#### EDUCATION

The Education Committee recommended for passage: House Bill(s) No(s). 2642, 2253, 2910 and 2279. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bill(s) No(s). 2860, 2524 and 2431 with amendments. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

#### FINANCE, WAYS AND MEANS

The Finance, Ways and Means Committee recommended for passage: House Bill(s) No(s). 2653, 2021, 2025, 2616 and 3173; also House Bill(s) No(s). 1969, 1794, 2548 and 2274 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

#### GOVERNMENT OPERATIONS

The Government Operations Committee recommended that House Bill(s) No(s). 3166, with amendments, be transmitted to the Health & Human Resources Committee.

#### HEALTH AND HUMAN RESOURCES

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The Health and Human Resources Committee recommended for passage: House Bill(s) No(s). 2688, 2845, 2847; also House Bill(s) No(s). 2035, 2803 and 2925 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

### STATE AND LOCAL GOVERNMENT

The State and Local Government Committee recommended for passage: House Bill(s) No(s). 2628, 2355, 2667, 2668, 2952, 645, 3117, 2112, House Resolution(s) No(s). 156 and House Joint Resolution(s) No(s). 404; also House Bill(s) No(s). 2522 and 2234 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bill(s) No(s). 3062 with amendments. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

### REPORTS FROM STANDING COMMITTEES

The committees that met on **March 6, 1996**, reported the following:

#### COMMITTEE ON CALENDAR AND RULES

The Calendar and Rules Committee met and set the following bill(s) on the **Regular Calendar** for **March 11, 1996**: House Bill(s) No(s). 1983, 2942, 2675, 3157, 2352, 1998, 2048 and 2022.

The Committee set the following bill(s) and/or resolution(s) on the **Consent Calendar** for **March 11, 1996**: House Bill(s) No(s). 2292, 1965 and 1963.

#### JUDICIARY

The Judiciary Committee recommended for passage: House Bill(s) No(s). 2753, 1958, 2385, 3091 and 3092; also House Bill(s) No(s). 2781, 2622, 2778, 3226, 2312 and 3119 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bill(s) No(s). 3093 with amendments. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

#### TRANSPORTATION

The Transportation Committee recommended for passage: House Bill(s) No(s). 2694, 3070 and House Joint Resolution(s) No(s). 441 and 415; also House Bill(s) No(s). 426 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bill(s) No(s). 3219. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

#### CONSENT CALENDAR

**House Resolution No. 184** -- Memorials, Professional Achievement - Suzanne J. Shinn, 1996 Teacher of the Year, Inskip Elementary School. by \*Dunn.

**House Resolution No. 185** -- Memorials, Recognition and Thanks - 1996 Beautillion Militaire Beaus. by \*Jones R (Shelby).

**House Joint Resolution No. 455** -- Memorials, Public Service - Leadership Clarksville Class of 1996, contributions to Clarksville community. by \*McMillan, \*Head.

**House Joint Resolution No. 457** -- Memorials, Congratulations - Chattanooga Music Club, 100th Anniversary. by \*Stulce.

Pursuant to **Rule No. 50**, Rep. Phillips moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes ..... 96  
Noes ..... 0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bell, Bird, Bittle, Bowers, Boyer, Bragg, Brooks, Brown, Buck, Burchett, Byrd, Callicott, Cantrell, Chumney, Clabough, Coffey, Cross, Curtiss, Davidson, Davis, DeBerry, J., DeBerry, L., Duer, Dunn, Eckles, Fitzhugh, Ford, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Head, Herron, Hicks, Huskey, Jackson, Jones, R. (Shelby), Jones, S., Jones, U. (Shelby), Joyce, Kent, Kernell, Kerr, Kisber, Langster, Lewis, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Napier, Newton, Odom, Patton, Peach, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Roach, Sharp, Shirley, Stamps, Stulce, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, White, Whitson, Williams (Union), Williams (Williamson), Windle, Winningham, Wood, Mr. Speaker Naifeh -- 96.

A motion to reconsider was tabled.

## REGULAR CALENDAR

**House Bill No. 1856** -- Benton County - Subject to local approval, authorizes severance tax on pulpwood. by \*Peach. (\*SB1834 by \*Hamilton)

Further consideration of House Bill No. 1856, previously considered on May 24, 1995 and January 9, 1996, and reset to today's Calendar.

Rep. Peach moved that House Bill No. 1856 be passed on third and final consideration.

Rep. Peach moved adoption of Amendment No. 1 as follows:

**Amendment No. 1**

AMEND House Bill No. 1856 by deleting Section 8 in its entirety and by substituting instead the following:

Section 8. The proceeds of the tax levied by this act shall be deposited in the general fund of county for expenditure solely for educational purposes as may be designated by the county commission.

AND FURTHER AMEND in the second sentence of Section 11 by deleting the language "July 1, 1995" and by substituting instead the language "July 1, 1996".

On motion, Amendment No. 1 was adopted.

Rep. Givens moved that House Bill No. 1856 be re-referred to the Conservation & Environment Committee.

Rep. Gunnels moved that the motion to re-refer House Bill No. 1856 to the Conservation & Environment Committee be tabled, which motion prevailed by the following vote:

Ayes.....	46
Noes .....	38
Present and not voting.....	5

Representatives voting aye were: Arriola, Beavers, Bird, Bittle, Bowers, Boyer, Buck, Burchett, Callicott, Cantrell, Clabough, Coffey, Curtiss, Davis, Dunn, Ford, Gunnels, Haley, Hassell, Herron, Hicks, Huskey, Jones, S., Jones, U. (Shelby), Joyce, Kent, Kerr, Langster, Lewis, McAfee, McDaniel, Miller, Pinion, Ramsey, Sharp, Shirley, Stamps, Tindell, Towns, Venable, Walley, West, Whitson, Williams (Union), Windle, Wood -- 46.

Representatives voting no were: Bell, Bragg, Brooks, Brown, Chumney, Cross, Davidson, DeBerry, L., Eckles, Fitzhugh, Givens, Halteman Harwell, Hargrove, Head, Jackson, Jones, R. (Shelby), Kernell, Kisber, McDonald, McMillan, Napier, Newton, Odom, Phelan, Phillips, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Roach, Robinson, Turner (Hamilton), Turner (Shelby), Westmoreland, Winningham, Mr. Speaker Naifeh -- 38.

Representatives present and not voting were: Armstrong, Fowlkes, Patton, Stulce, White -- 5.

Rep. Kerr moved the previous question, which motion prevailed.

Rep. Peach moved that **House Bill No. 1856**, as amended be passed on third and final consideration, which motion failed by the following vote:

Ayes.....	49
Noes .....	34
Present and not voting.....	6

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Representatives voting aye were: Armstrong, Arriola, Beavers, Boyer, Brooks, Brown, Buck, Burchett, Byrd, Callicott, Cantrell, Clabough, Coffey, Davis, Dunn, Fitzhugh, Ford, Fowlkes, Gunnels, Haley, Herron, Hicks, Huskey, Jackson, Jones, R. (Shelby), Joyce, Kent, Kerr, Lewis, McAfee, McDaniel, Napier, Patton, Peach, Phillips, Pinion, Ramsey, Roach, Sharp, Shirley, Stamps, Tindell, Turner (Shelby), Venable, Walley, White, Whitson, Windle, Wood -- 49.

Representatives voting no were: Bell, Bird, Bowers, Bragg, Chumney, Cross, Curtiss, Davidson, DeBerry, L., Eckles, Givens, Halteman Harwell, Hargrove, Hassell, Head, Jones, S., Langster, McDonald, McMillan, Miller, Newton, Odom, Phelan, Pruitt, Purcell, Rigsby, Rinks, Ritchie, Towns, Turner (Hamilton), West, Williams (Union), Winningham, Mr. Speaker Naifeh -- 34.

Representatives present and not voting were: Duer, Jones, U. (Shelby), McKee, Rhinehart, Ridgeway, Stulce -- 6.

Having failed to receive a constitutional majority, House Bill No. 1856 was re-referred to the Committee on Calendar and Rules.

**\*House Bill No. 2024** -- Criminal Offenses - Increases permitting or facilitating escape from Class A misdemeanor to Class E felony unless the offense was committed intentionally or knowingly in which case increases offense from Class D to Class C felony. Amends TCA Section 39-16-607. by \*Westmoreland, \*Newton, \*Bittle, \*Beavers. (SB2063 by \*McNally, \*Haun, \*Holcomb, \*Crowe, \*Atchley, \*Gilbert, \*Koella, \*Miller J, \*Fowler, \*Elsea, \*Rice, \*Carter, \*Person, \*Leatherwood)

On motion, House Bill No. 2024 was made to conform with **Senate Bill No. 2063**; the Senate Bill was substituted for the House Bill.

Rep. Westmoreland moved that Senate Bill No. 2063, be passed on third and final consideration.

On motion, Rep. Buck withdrew Judiciary Committee Amendment No. 1.

Rep. Westmoreland moved that **Senate Bill No. 2063**, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.....	96
Noes .....	0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bell, Bird, Bittle, Bowers, Boyer, Bragg, Brown, Buck, Burchett, Byrd, Callicott, Cantrell, Chumney, Clabough, Coffey, Cross, Curtiss, Davidson, Davis, DeBerry, J., DeBerry, L., Duer, Dunn, Eckles, Fitzhugh, Ford, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Head, Herron, Hicks, Huskey, Jackson, Jones, R. (Shelby), Jones, S., Jones, U. (Shelby), Joyce, Kent, Kernell, Kerr, Kisber, Langster, Lewis, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Napier, Newton, Odom, Patton, Peach, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Roach, Robinson, Sharp, Shirley, Stamps, Stulce, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Venable, Walley, West,

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Westmoreland, White, Whitson, Williams (Union), Williams (Williamson), Windle, Winningham, Wood, Mr. Speaker Naifeh – 96.

A motion to reconsider was tabled.

**\*House Bill No. 2673** -- DUI/DWI Offenses - Increases from six to 12 months, driver license suspension period for person refusing to take sobriety test. Amends TCA Title 55, Chapter 10, Part 4. by \*Ford S, \*Bittle, \*Newton, \*Wood, \*Jones R (Shelby), \*McDaniel, \*McAfee, \*Sharp, \*DeBerry J, \*Stulce, \*Bird, \*Walley, \*Stamps. (SB2954 by \*Rice, \*Atchley, \*Miller J, \*Person, \*McNally, \*Gilbert, \*Leatherwood, \*Carter, \*Elsea, \*Wright, \*Holcomb, \*Crowe, \*Jordan, \*Fowler, \*Koella, \*Burks)

Rep. Ford moved that **House Bill No. 2673** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	96
Noes .....	1

Representatives voting aye were: Armstrong, Arriola, Beavers, Bell, Bird, Bittle, Bowers, Boyer, Bragg, Brooks, Brown, Buck, Burchett, Byrd, Callicott, Cantrell, Chumney, Clabough, Coffey, Cross, Curtiss, Davidson, Davis, DeBerry, J., DeBerry, L., Duer, Dunn, Eckles, Fitzhugh, Ford, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Head, Herron, Hicks, Huskey, Jackson, Jones, R. (Shelby), Jones, S., Jones, U. (Shelby), Joyce, Kent, Kernell, Kerr, Kisber, Langster, Lewis, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Napier, Newton, Odom, Patton, Peach, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Roach, Robinson, Sharp, Shirley, Stamps, Stulce, Tindell, Towns, Turner (Hamilton), Venable, Walley, West, Westmoreland, White, Whitson, Williams (Union), Williams (Williamson), Windle, Winningham, Wood, Mr. Speaker Naifeh – 96.

Representatives voting no were: Turner (Shelby) – 1.

A motion to reconsider was tabled.

**House Bill No. 2063** -- Driver Licenses - Requires department of safety to indicate on photo identification licenses when driver license revoked or suspended for DUI. Amends TCA Section 55-50-336. by \*Eckles. (\*SB2125 by \*Womack, \*Cohen)

On motion, House Bill No. 2063 was made to conform with **Senate Bill No. 2125**; the Senate Bill was substituted for the House Bill.

Rep. Eckles moved that Senate Bill No. 2125 be passed on third and final consideration.

On motion, Rep. Robinson withdrew Transportation Committee Amendment No. 1.

Rep. Eckles moved that **Senate Bill No. 2125** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.....91  
Noes .....2

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bittle, Bowers, Boyer, Bragg, Brooks, Buck, Burchett, Byrd, Callicott, Cantrell, Chumney, Clabough, Coffey, Cross, Curtiss, Davidson, Davis, DeBerry, J., DeBerry, L., Duer, Dunn, Eckles, Fitzhugh, Ford, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Head, Herron, Hicks, Huskey, Jackson, Jones, R. (Shelby), Jones, S., Jones, U. (Shelby), Joyce, Kent, Kernell, Kerr, Kisber, Langster, Lewis, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Newton, Odom, Patton, Peach, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Roach, Robinson, Sharp, Shirley, Stamps, Stulce, Tindell, Turner (Hamilton), Walley, West, Westmoreland, White, Whitson, Williams (Union), Williams (Williamson), Windle, Winningham, Wood, Mr. Speaker Naifeh -- 91.

Representatives voting no were: Brown, Turner (Shelby) -- 2.

A motion to reconsider was tabled.

**House Bill No. 2184** -- Insurance, Liability - Increases minimum amount of liability insurance for blasting from \$100,000 to \$500,000. Amends TCA Title 68, Chapter 105, Part 1. by \*Eckles. (\*SB2210 by \*Womack)

On motion, House Bill No. 2184 was made to conform with **Senate Bill No. 2210**; the Senate Bill was substituted for the House Bill.

Rep. Eckles moved that Senate Bill No. 2210, be passed on third and final consideration.

On motion, Rep. Rhinehart withdrew Commerce Committee Amendment No. 1.

Rep. Eckles moved that **Senate Bill No. 2210** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.....95  
Noes .....0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bell, Bird, Bowers, Boyer, Bragg, Brooks, Brown, Buck, Burchett, Byrd, Callicott, Cantrell, Chumney, Clabough, Coffey, Cross, Curtiss, Davidson, Davis, DeBerry, J., DeBerry, L., Duer, Dunn, Eckles, Fitzhugh, Ford, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Head, Herron, Hicks, Huskey, Jackson, Jones, R. (Shelby), Jones, S., Jones, U. (Shelby), Joyce, Kent, Kernell, Kerr, Kisber, Langster, Lewis, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Napier, Newton, Odom, Patton, Peach, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Roach, Sharp, Shirley, Stamps, Stulce, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, White, Whitson, Williams (Union), Williams (Williamson), Windle, Winningham, Wood, Mr. Speaker Naifeh -- 95.

A motion to reconsider was tabled.



**House Bill No. 2233** -- Divorce and Annulment - Authorizes waiver of jurisdictional requirements of oath in complaints and waiting period for hearings in divorce proceedings Amends TCA Title 36, Chapter 4. by \*Buck. (\*SB2287 by \*Rochelle, \*Crutchfield)

On motion, House Bill No. 2233 was made to conform with **Senate Bill No. 2287**; the Senate Bill was substituted for the House Bill.

Rep. Buck moved that Senate Bill No. 2287 be passed on third and final consideration.

Rep. Buck moved adoption of Judiciary Committee Amendment No. 1 as follows:

**Amendment No. 1**

AMEND Senate Bill No. 2287 by deleting subsection (b) of the amendatory language of SECTION 1 and substituting instead the following:

(b) If the issue of whether the affidavit contains the complainant's verification that the complaint is not made out of levity or in collusion with the defendant is not raised at trial, each party waives the right to contest such issue on appeal.

On motion, Amendment No. 1 was adopted.

Rep. Buck moved that **Senate Bill No. 2287**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes..... 97  
Noes ..... 0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bell, Bird, Bittle, Bowers, Boyer, Bragg, Brooks, Brown, Buck, Burchett, Byrd, Callicott, Cantrell, Chumney, Clabough, Coffey, Cross, Curtiss, Davidson, Davis, DeBerry, J., DeBerry, L., Duer, Dunn, Eckles, Fitzhugh, Ford, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Head, Herron, Hicks, Huskey, Jackson, Jones, R. (Shelby), Jones, S., Jones, U. (Shelby), Joyce, Kent, Kernell, Kerr, Kisber, Langster, Lewis, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Napier, Newton, Odom, Patton, Peach, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Roach, Robinson, Sharp, Shirley, Stamps, Stulce, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, White, Whitson, Williams (Union), Williams (Williamson), Windle, Winningham, Wood, Mr. Speaker Naifeh -- 97.

A motion to reconsider was tabled.

**House Bill No. 2562** -- Funeral Directors and Embalmers - Permits use of previously used casket if new interior installed prior to viewing Amends TCA Section 62-5-317. by \*Garrett. (\*SB2853 by \*Haynes)

Rep. Garrett moved that **House Bill No. 2562** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes ..... 87  
Noes ..... 5  
Present and not voting ..... 3

Representatives voting aye were: Armstrong, Arriola, Beavers, Bell, Bird, Bittle, Bowers, Boyer, Bragg, Brooks, Brown, Buck, Burchett, Byrd, Callicott, Cantrell, Chumney, Clabough, Cross, Curtiss, Davidson, Davis, DeBerry, J., DeBerry, L., Duer, Dunn, Eckles, Fitzhugh, Ford, Fowlkes, Garrett, Gunnels, Halteman Harwell, Hargrove, Hassell, Head, Herron, Hicks, Huskey, Jackson, Jones, R. (Shelby), Jones, S., Kent, Kernell, Kerr, Kisber, Langster, Lewis, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Napier, Newton, Odom, Patton, Peach, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Ridgeway, Rigsby, Rinks, Roach, Sharp, Shirley, Stamps, Stulce, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, White, Williams (Union), Williams (Williamson), Winningham, Wood, Mr. Speaker Naifeh -- 87.

Representatives voting no were: Haley, Rhinehart, Ritchie, Whitson, Windle -- 5.

Representatives present and not voting were: Givens, Jones, U. (Shelby), Joyce -- 3.

A motion to reconsider was tabled.

**\*House Bill No. 2715** -- Bond Issues - Transfers capital outlay notes refunding provision to appropriate TCA location; permits g.o. refunding bonds to be sold at private negotiated sale. Amends TCA Title 9, Chapter 21, Part 9 and Title 9, Chapter 21, Part 6. by \*Bragg. (SB2935 by \*Henry)

On motion, House Bill No. 2715 was made to conform with **Senate Bill No. 2935**; the Senate Bill was substituted for the House Bill.

Rep. Bragg moved that **Senate Bill No. 2935** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes ..... 97  
Noes ..... 0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bell, Bird, Bittle, Bowers, Boyer, Bragg, Brooks, Brown, Buck, Burchett, Byrd, Callicott, Cantrell, Chumney, Clabough, Coffey, Cross, Curtiss, Davidson, Davis, DeBerry, J., DeBerry, L., Duer, Dunn, Eckles, Fitzhugh, Ford, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Head, Herron, Hicks, Huskey, Jackson, Jones, R. (Shelby), Jones, S., Jones, U. (Shelby), Joyce, Kent, Kernell, Kerr, Kisber, Langster, Lewis, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Napier, Newton, Odom, Patton, Peach, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Roach, Robinson, Sharp, Shirley, Stamps, Stulce, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, White, Whitson, Williams (Union), Williams (Williamson), Windle, Winningham, Wood, Mr. Speaker Naifeh -- 97.

A motion to reconsider was tabled.

**House Bill No. 3012** -- Traffic Safety - Creates Class C misdemeanor offense of child under 12 riding in back bed of pickup truck on state, county or city roads, except for certain parades or agricultural purposes. Amends TCA Title 55, Chapter 8, Part 1. by \*Bragg, \*Kisber, \*Ritchie. (\*SB1958 by \*Cooper, \*Gilbert, \*Jordan)

On motion, House Bill No. 3012 was made to conform with **Senate Bill No. 1958**; the Senate Bill was substituted for the House Bill.

Rep. Bragg moved that Senate Bill No. 1958, be passed on third and final consideration.

On motion, Rep. Robinson withdrew Transportation Committee Amendment No. 1.

Rep. Robinson moved adoption of Transportation Committee Amendment No. 2.

### **Amendment No. 2**

AMEND Senate Bill No. 1958 in the amendatory language of SECTION 1 by adding the following language at the end of subsection (c):

The provisions of this section also shall not apply to a person transporting such child in the bed of such vehicle on a gravel or dirt road.

Rep. Eckles moved that Amendment No. 2 be tabled, which motion prevailed by the following vote:

Ayes .....	46
Noes .....	38
Present and not voting .....	1

Representatives voting aye were: Armstrong, Beavers, Bell, Bittle, Bowers, Brooks, Brown, Burchett, Cantrell, Cross, Davis, DeBerry, J., DeBerry, L., Eckles, Fitzhugh, Ford, Head, Huskey, Jackson, Joyce, Kernell, Kisber, Langster, Lewis, McAfee, McDaniel, McDonald, McMillan, Miller, Patton, Phillips, Pruitt, Ridgeway, Rigsby, Ritchie, Stulce, Tindell, Turner (Hamilton), Turner (Shelby), Venable, West, Westmoreland, Williams (Williamson), Winningham, Wood, Mr. Speaker Naifeh -- 46.

Representatives voting no were: Arriola, Bird, Buck, Byrd, Callicott, Clabough, Curtiss, Davidson, Duer, Dunn, Fowlkes, Givens, Gunnels, Haley, Halteman Harwell, Hassell, Herron, Hicks, Jones, R. (Shelby), Jones, S., Kent, Kerr, McKee, Newton, Odom, Pinion, Ramsey, Rhinehart, Rinks, Roach, Robinson, Sharp, Shirley, Stamps, Walley, White, Williams (Union), Windle -- 38.

Representatives present and not voting were: Chumney -- 1.

Rep. Jackson moved the previous question, which motion prevailed.

Rep. Bragg moved that **Senate Bill No. 1958** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	58
Noes .....	32

Present and not voting..... 1

Representatives voting aye were: Armstrong, Arriola, Beavers, Bittle, Bragg, Brooks, Brown, Burchett, Byrd, Cantrell, Chumney, Coffey, Cross, DeBerry, J., DeBerry, L., Duer, Eckles, Fitzhugh, Ford, Fowlkes, Givens, Haley, Halteman Harwell, Hassell, Herron, Jackson, Jones, S., Joyce, Kent, Kernell, Kisber, Lewis, McAfee, McDaniel, McDonald, McMillan, Napier, Odom, Patton, Phelan, Pruitt, Ramsey, Ridgeway, Rigsby, Ritchie, Robinson, Stamps, Stulce, Tindell, Turner (Hamilton), Turner (Shelby), Venable, West, Westmoreland, White, Whitson, Williams (Williamson), Wood -- 58.

Representatives voting no were: Bell, Bird, Boyer, Buck, Callicott, Clabough, Curtiss, Davidson, Davis, Dunn, Garrett, Gunnels, Hicks, Huskey, Jones, R. (Shelby), Kerr, Langster, McKee, Peach, Phillips, Pinion, Purcell, Rhinehart, Rinks, Roach, Sharp, Shirley, Walley, Williams (Union), Windle, Winningham, Mr. Speaker Naifeh -- 32.

Representatives present and not voting were: Newton -- 1.

A motion to reconsider was tabled.

**CHAIR TO DEBERRY**

Mr. Speaker Naifeh relinquished the Chair to Rep. DeBerry, Speaker pro tempore.

**REGULAR CALENDAR, CONTINUED**

**\*House Bill No. 2304** -- Highway Signs - "Buford D. Beadle Memorial Bridge," Highway 64, Bradshaw Creek. by \*Fowlkes. (SB2590 by \*Cooper)

On motion, House Bill No. 2304 was made to conform with **Senate Bill No. 2590**; the Senate Bill was substituted for the House Bill.

Rep. Fowlkes moved that Senate Bill No. 2590, be passed on third and final consideration.

On motion, Rep. Robinson withdrew Transportation Committee Amendment No. 1.

On motion, Rep. Robinson withdrew Transportation Committee Amendment No. 2.

Rep. Fowlkes moved that **Senate Bill No. 2590** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes..... 95  
Noes ..... 0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bell, Bird, Bittle, Bowers, Boyer, Bragg, Brooks, Brown, Buck, Burchett, Byrd, Callicott, Cantrell, Chumney, Clabough, Coffey, Cross, Curtiss, Davidson, Davis, DeBerry, J., DeBerry, L., Duer, Dunn, Eckles, Fitzhugh, Ford, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Head, Herron, Hicks, Huskey, Jackson, Jones, R. (Shelby), Jones, S., Jones, U. (Shelby), Joyce, Kent, Kernell, Kerr, Kisber, Langster, Lewis, McAfee, McDaniel, McDonald,

McKee, McMillan, Napier, Newton, Odom, Patton, Peach, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Roach, Robinson, Sharp, Shirley, Stamps, Stulce, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, White, Whitson, Williams (Union), Williams (Williamson), Windle, Winningham, Wood, Mr. Speaker Naifeh -- 95.

A motion to reconsider was tabled.

**House Bill No. 2825** -- Tennessee Higher Education Commission - Extends terms of student members to two years; makes one voting and one non-voting; rotates voting position between systems. Amends TCA Section 49-7-204. by \*Armstrong, \*Tindell, \*Ritchie. (\*SB2236 by \*Gilbert)

Rep. Armstrong moved that House Bill No. 2825 be passed on third and final consideration.

Rep. Brown moved adoption of Education Committee Amendment No. 1 as follows:

**Amendment No. 1**

AMEND House Bill No. 2825 by adding a new Section 5, as follows, and renumbering the subsequent sections of the printed bill accordingly:

SECTION 5. Tennessee Code Annotated, Section 49-7-204(c)(2), is further amended by inserting between the words, date and punctuation "July 1," and "after" the date and punctuation "1996,".

On motion, Amendment No. 1 was adopted.

Rep. Armstrong moved that **House Bill No. 2825**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes ..... 97  
Noes ..... 0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bell, Bird, Bittle, Bowers, Boyer, Bragg, Brooks, Brown, Buck, Burchett, Byrd, Callicott, Cantrell, Chumney, Clabough, Coffey, Cross, Curtiss, Davidson, Davis, DeBerry, J., DeBerry, L., Duer, Dunn, Eckles, Fitzhugh, Ford, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Head, Herron, Hicks, Huskey, Jackson, Jones, R. (Shelby), Jones, S., Jones, U. (Shelby), Joyce, Kent, Kernell, Kerr, Kisber, Langster, Lewis, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Napier, Newton, Odom, Patton, Peach, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Roach, Robinson, Sharp, Shirley, Stamps, Stulce, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, White, Whitson, Williams (Union), Williams (Williamson), Windle, Winningham, Wood, Mr. Speaker Naifeh -- 97.

A motion to reconsider was tabled.

**House Bill No. 2829** -- Motor Vehicles, Titling and Registration - Authorizes design and issuance of special license plates for members of certain fraternities and sororities. Amends TCA Title 55, Chapter 4, Part 2. by \*Armstrong, \*Brown, \*DeBerry L. (\*SB2499 by \*Dixon)

Rep. Armstrong moved that House Bill No. 2829 be passed on third and final consideration.

Rep. Armstrong moved adoption of Amendment No. 1 as follows:

**Amendment No. 1**

AMEND House Bill No. 2829 by adding the following as a new section to be designated appropriately:

SECTION \_\_\_\_\_. The proceeds from the fee paid pursuant to §55-4-203 for the sale of special plates provided by this act shall be deposited in a fund to benefit Tennessee Historical Black colleges (Fisk University, Knoxville College, Lane College and LeMoyne-Owen College).

On motion, Amendment No. 1 was adopted.

Rep. Armstrong moved that **House Bill No. 2829**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	96
Noes .....	0
Present and not voting .....	1

Representatives voting aye were: Armstrong, Arriola, Beavers, Bell, Bird, Bittle, Bowers, Boyer, Bragg, Brooks, Brown, Buck, Burchett, Byrd, Callicott, Cantrell, Chumney, Clabough, Coffey, Cross, Curtiss, Davidson, Davis, DeBerry, J., DeBerry, L., Dunn, Eckles, Fitzhugh, Ford, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Head, Herron, Hicks, Huskey, Jackson, Jones, R. (Shelby), Jones, S., Jones, U. (Shelby), Joyce, Kent, Kernell, Kerr, Kisber, Langster, Lewis, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Napier, Newton, Odom, Patton, Peach, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Roach, Robinson, Sharp, Shirley, Stamps, Stulce, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, White, Whitson, Williams (Union), Williams (Williamson), Windle, Winningham, Wood, Mr. Speaker Naifeh -- 96.

Representatives present and not voting were: Duer -- 1.

A motion to reconsider was tabled.

**\*House Bill No. 2019** -- Insurance Companies, Agents, Brokers - Enacts "Risk Based Capital for Insurers Act."; clarifies that working papers and examination records are confidential; revises Medicare Supplement Minimum Standards Act. Amends TCA Title 56, Chapters 1, 2 and 7. by \*Wood, \*Bittle. (SB2061 by \*Koella, \*Haun, \*McNally, \*Atchley, \*Elsa, \*Crowe)

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On motion, House Bill No. 2019 was made to conform with **Senate Bill No. 2061**; the Senate Bill was substituted for the House Bill.

Rep. Wood moved that Senate Bill No. 2061 be passed on third and final consideration.  
Rep. Wood requested that Senate Bill No. 2061 be moved to the heel of the Calendar.

**House Bill No. 906** -- Sales - Enacts "Prevention of Youth Access to Electronic Pagers Act of 1995." by \*Brooks, \*Turner (Shelby), \*Brown, \*Pruitt, \*Miller L, \*Bowers, \*Towns, \*Jones U (Shelby), \*DeBerry L, \*Langster, \*Byrd. (\*SB641 by \*Dixon)

Rep. Brooks moved that House Bill No. 906 be passed on third and final consideration.

Rep. Brooks moved that Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Brooks moved that Amendment No. 2 be withdrawn, which motion prevailed.

Rep. Brooks moved that Amendment No. 3 be withdrawn, which motion prevailed.

Rep. Brooks moved that Amendment No. 4 be withdrawn, which motion prevailed.

Rep. Rhinehart requested that Commerce Committee Amendment No. 1 as House Amendment No. 5 be moved to the heel of the Amendments.

Rep. Rhinehart requested that Commerce Committee Amendment No. 2 as House Amendment No. 6 be moved to the heel of the Amendments.

Rep. Brooks moved that Amendment No. 7 be withdrawn, which motion prevailed.

Rep. Brooks moved adoption of Amendment No. 8 as follows:

**Amendment No. 8**

AMEND House Bill No. 906 by deleting all language after the enacting clause and by substituting instead the following:

Section 1. This act shall be known and may be cited as the  
"Prevention of Youth Access to Electronic Pagers Act of 1996".

Section 2. The purpose of this act is to reduce the access of persons under eighteen (18) years of age to electronic pagers by creating prohibitions against the sale and distribution of electronic pagers to such persons, prohibiting the purchase, receipt or possession of electronic pagers by such persons and restricting the distribution and sale of electronic pagers other than in conformity with this act. It is the intent of the general assembly to:

(1) protect the interest of parents in rearing their children by requiring parental involvement in the process of obtaining electronic pagers; and

(2) protect the well-being and welfare of youth from the use, sale and propagation of illegal drugs by regulating their access to electronic pagers.

Section 3. As used in this act, unless the context otherwise requires:

(1) "Person" means any individual, firm, fiduciary, partnership, corporation, trust, or association;

(2) "Proof of age" means a driver license or other generally accepted means of identification that describes the individual as eighteen (18) years of age or older, contains a photograph or other likeness of the individual, and appears on its face to be valid.

Section 4.

(a) No person shall sell or distribute any electronic pager to another person who has not attained eighteen (18) years of age or purchase an electronic pager on behalf of any such person except as otherwise provided in this section.

(b) No person other than a parent or guardian shall persuade, entice, send or assist a person who has not attained eighteen (18) years of age to purchase, acquire, receive or attempt to purchase, acquire or receive an electronic pager. This section shall not be deemed to preclude law enforcement efforts involving the use of individuals under eighteen (18) years of age if a parent of the individual has consented to this action.

(c) An electronic pager may be sold or distributed to a person under eighteen (18) years of age if the parent or guardian consents to such sale or distribution. Such consent shall be in writing and the parent or guardian must provide such written consent in person to the seller or distributor and provide reasonable proof that such person is the parent or guardian of such person.

(d) Any person who is under eighteen (18) years of age and who has parental consent to possess an electronic pager shall, at any time such device is carried by such person, also carry a copy of the parent's or guardian's written consent to the sale or distribution of the electronic pager.

(e) A person engaged in the sale or distribution of electronic pagers shall demand proof of age from a prospective purchaser or recipient.

(f) Any lease or service contract for the operation or maintenance of an electronic pager which requires renewal after the effective date of this act shall require the signature of the parent or



guardian if the person seeking to renew their contract is under eighteen (18) years of age.

(g) If the owner or proprietor of a store at which electronic pagers are sold at retail knowingly permits an employee to violate the provisions of the section, then such owner or proprietor shall be in violation of the provisions of this section.

Section 5.

(a) A person who has not attained eighteen (18) years of age shall not purchase, possess or accept receipt of an electronic pager except as provided in Section 4, or present or offer to any person any purported proof of age which is false, fraudulent, or not actually that person's own for the purpose of purchasing or receiving an electronic pager.

(b) No person shall provide false information of a material nature on either the parental or guardianship status of the person filling out a contract to purchase an electronic pager.

Section 6. On and at retail shall post conspicuously, near each point of sale, and keep so posted at the place of business, a sign no smaller than ninety-three and one-half (93 1/2) square inches stating the following:

EIGHTEEN  
PURCHASE AN

STATE LAW PROHIBITS THE SALE OR LEASE OF  
ELECTRONIC PAGERS TO PERSONS UNDER THE AGE OF  
(18) YEARS. PROOF OF AGE IS REQUIRED TO  
ELECTRONIC PAGER.

Section 7.

(a) The commissioner of department of commerce and insurance shall impose civil penalties for violations of the provisions of this act.

(b)(1) Any violation of the provisions of this act by a person eighteen (18) years of age or older shall be punished by a civil penalty of one thousand dollars (\$1,000).

(2) The third or fourth violation of the provisions of this act by a person eighteen (18) years of age or older shall be punished by a civil penalty of ten thousand dollars (\$10,000).

(3) The fifth or subsequent violation of the provisions of this act by a person eighteen (18) years of age or older shall be punished by a civil penalty of twenty-five thousand dollars (\$25,000).

(4) Any violation of the provisions of this act relative to possession of an electronic pager or attempting to obtain an

electronic pager by a person who is less than eighteen (18) years of age shall be punished by a civil penalty of five hundred dollars (\$500) on the parent or guardian of such person.

Section 8. The provisions of this act shall only apply in counties having a population in excess of one hundred forty thousand (140,000) and in counties having a population of not less than seventy-seven thousand eight hundred (77,800) nor more than seventy-eight thousand (78,000) according to the 1990 federal census of population or any subsequent federal census.

Section 9. This act shall take effect July 1, 1996, the public welfare requiring it.

Rep. Jones, (U) Shelby moved the previous question, which motion prevailed

On motion, Amendment No. 8 was adopted by the following vote:

Ayes.....	89
Noes .....	0
Present and not voting.....	1

Representatives voting aye were: Armstrong, Arriola, Beavers, Bell, Bird, Bittle, Bowers, Boyer, Bragg, Brooks, Brown, Buck, Burchett, Byrd, Callicott, Cantrell, Chumney, Clabough, Coffey, Cross, Curtiss, Davidson, Davis, DeBerry, J., DeBerry, L., Duer, Dunn, Eckles, Fitzhugh, Ford, Fowlkes, Garrett, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Head, Herron, Hicks, Huskey, Jackson, Jones, R. (Shelby), Jones, S., Jones, U. (Shelby), Kent, Kernell, Kerr, Kisber, Langster, Lewis, McAfee, McDaniel, McDonald, McMillan, Miller, Napier, Newton, Odum, Patton, Peach, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rinks, Ritchie, Shirley, Stamps, Stulce, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Union), Williams (Williamson), Windle, Wingham, Wood, Mr. Speaker Naifeh -- 89.

Representatives present and not voting were: Sharp -- 1.

No 5. On motion, Rep. Rhinehart withdrew Commerce Committee Amendment No. 1 as House Amendment

No 6. On motion, Rep. Rhinehart withdrew Commerce Committee Amendment No. 2 as House Amendment

Rep. Ramsey moved adoption of Amendment No. 9 as follows:

#### **Amendment No. 9**

AMEND House Bill No. 906 by deleting from Section 8 of the bill, as amended, the language "in excess of one hundred forty thousand (140,000)" and substituting instead the language "one hundred fifty thousand (150,000)".

On motion, Amendment No. 9 was adopted.

**WEDNESDAY, MARCH 6, 1996 -- SEVENTIETH LEGISLATIVE DAY**

Rep. Jones R. (Shelby) moved the previous question, which motion prevailed by the following vote:

Ayes .....	64
Noes .....	23
Present and not voting .....	1

Representatives voting aye were: Armstrong, Arriola, Bell, Bird, Bittle, Bowers, Bragg, Brooks, Brown, Buck, Burchett, Byrd, Chumney, Clabough, Coffey, Cross, Curtiss, Davidson, Davis, DeBerry, J., DeBerry, L., Duer, Ford, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Hicks, Huskey, Jackson, Jones, S., Jones, U. (Shelby), Kent, Kerr, Langster, McDaniel, McKee, Miller, Newton, Odom, Patton, Phelan, Phillips, Pruitt, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Roach, Shirley, Tindell, Towns, Turner (Shelby), West, Whitson, Williams (Williamson), Windle, Winningham -- 64.

Representatives voting no were: Beavers, Boyer, Callicott, Cantrell, Dunn, Fitzhugh, Head, Herron, Joyce, Kisber, McDonald, McMillan, Pinion, Robinson, Sharp, Stamps, Stulce, Venable, Walley, Westmoreland, White, Williams (Union), Wood -- 23.

Representatives present and not voting were: Kernell -- 1.

Rep. Brooks moved that **House Bill No. 906**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	73
Noes .....	9
Present and not voting .....	6

Representatives voting aye were: Armstrong, Arriola, Bell, Bittle, Bowers, Bragg, Brooks, Brown, Buck, Burchett, Byrd, Callicott, Chumney, Coffey, Cross, Curtiss, Davidson, Davis, DeBerry, J., DeBerry, L., Duer, Dunn, Fitzhugh, Ford, Fowlkes, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Herron, Hicks, Huskey, Jones, R. (Shelby), Jones, S., Jones, U. (Shelby), Kent, Kernell, Kerr, Kisber, Langster, Lewis, McAfee, McDaniel, McMillan, Miller, Napier, Newton, Odom, Patton, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Ritchie, Roach, Shirley, Stamps, Stulce, Tindell, Towns, Turner (Hamilton), Turner (Shelby), West, White, Whitson, Williams (Williamson), Windle, Winningham, Wood, Mr. Speaker Naifeh -- 73.

Representatives voting no were: Beavers, Bird, Cantrell, Garrett, Givens, Head, Joyce, Rinks, Williams (Union) -- 9.

Representatives present and not voting were: Boyer, McDonald, Ramsey, Venable, Walley, Westmoreland -- 6.

A motion to reconsider was tabled.

**House Bill No. 2384** -- Alcoholic Beverages - Permits imposition of civil penalty for beer violation by city or county prior to hearing; repeals old transitional provisions concerning permits and signs. Amends TCA Section 57-5-108(a)(2). by \*Hargrove. (\*SB2270 by \*Hamilton)

**WEDNESDAY, MARCH 6, 1996 -- SEVENTIETH LEGISLATIVE DAY**

Further consideration of House Bill No. 2384, previously considered on March 4, 1996, at which time it was objected to on the Consent Calendar, and reset to today's Calendar.

On motion, House Bill No. 2384 was made to conform with **Senate Bill No. 2270**; the Senate Bill was substituted for the House Bill.

**CHAIR TO SPEAKER**

Mr. Speaker Naifeh resumed the Chair.

**REGULAR CALENDAR, CONTINUED**

Rep. Hargrove moved that Senate Bill No. 2270 be passed on third and final consideration.

Rep. DeBerry, J. moved the previous question, which motion prevailed.

Rep. Hargrove moved that **Senate Bill No. 2270** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.....	92
Noes .....	3

Representatives voting aye were: Armstrong, Arriola, Beavers, Bell, Bird, Bittle, Bowers, Boyer, Bragg, Brooks, Brown, Buck, Burchett, Byrd, Callicott, Cantrell, Chumney, Clabough, Coffey, Cross, Curtiss, Davidson, Davis, DeBerry, J., DeBerry, L., Duer, Dunn, Eckles, Fitzhugh, Ford, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Head, Herron, Hicks, Huskey, Jackson, Jones, R. (Shelby), Jones, S., Jones, U. (Shelby), Joyce, Kent, Kernell, Kerr, Kisber, Langster, Lewis, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Napier, Newton, Odom, Patton, Phelan, Pinion, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Roach, Robinson, Sharp, Shirley, Stulce, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, White, Whitson, Williams (Union), Williams (Williamson), Winningham, Wood, Mr. Speaker Naifeh -- 92.

Representatives voting no were: Peach, Phillips, Windle -- 3.

A motion to reconsider was tabled.

**REQUEST TO CHANGE VOTE**

Pursuant to **Rule No. 31**, the following member(s) desire to change their original stand from not voting to aye on House Bill No. 2270 and have this statement entered in the Journal: Rep(s). Stamps.

**REGULAR CALENDAR, CONTINUED**

**\*House Bill No. 2407 --** Alcoholic Beverages - Revises contract limitations on contracts for sale of brand name alcoholic beverages Amends TCA Section 57-3-301(e)(1) and Section 57-3-301(e)(3). by \*Rhinehart. (SB2798 by \*Rochelle, \*Hamilton)

**WEDNESDAY, MARCH 6, 1996 -- SEVENTIETH LEGISLATIVE DAY**

Further consideration of House Bill No. 2407, previously considered on March 4, 1996, at which time it was objected to on the Consent Calendar, and reset to today's Calendar.

Rep. Rhinehart moved that House Bill No. 2407 be passed on third and final consideration.

Rep. Rhinehart moved adoption of Amendment No. 1 as follows:

**Amendment No. 1**

AMEND House Bill No. 2407 by deleting Section 2 in its entirety and by substituting instead the following:

Tennessee Code Annotated, Section 57-3-301(e)(3), is amended by deleting the second sentence of that subsection in its entirety.

On motion, Amendment No. 1 was adopted.

Rep. Rhinehart moved that **House Bill No. 2407**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.....	72
Noes .....	15
Present and not voting.....	6

Representatives voting aye were: Armstrong, Arriola, Bell, Bittle, Bowers, Bragg, Brooks, Brown, Burchett, Byrd, Callicott, Cantrell, Chumney, Clabough, Curtiss, Davidson, Davis, DeBerry, J., DeBerry, L., Duer, Eckles, Fowikes, Garrett, Givens, Gunnels, Halteman, Harwell, Hargrove, Hassell, Head, Hicks, Huskey, Jackson, Jones, R. (Shelby), Jones, S., Jones, U. (Shelby), Kent, Kernell, Kerr, Kisber, Langster, Lewis, McAfee, McDaniel, McKee, McMillan, Miller, Napier, Newton, Odom, Patton, Phelan, Pruitt, Purcell, Ramsey, Ridgeway, Rigsby, Rinks, Roach, Robinson, Stamps, Stulce, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Venable, West, Westmoreland, Whitson, Williams (Williamson), Winningham, Mr. Speaker Naifeh -- 72.

Representatives voting no were: Beavers, Cross, Dunn, Ford, Herron, McDonald, Peach, Phillips, Sharp, Shirley, Walley, White, Williams (Union), Windle, Wood -- 15.

Representatives present and not voting were: Bird, Boyer, Buck, Joyce, Pinion, Ritchie -- 6.

A motion to reconsider was tabled.

**House Bill No. 2889** -- Municipal Government - Specifies that cities within specified distances from existing cities may incorporate under certain circumstances. Amends TCA Title 6. by \*Callicott. (\*SB3058 by \*Jordan)

Further consideration of House Bill No. 2889, previously considered on March 4, 1996, at which time it was objected to on the Consent Calendar, and reset to today's Calendar.

**WEDNESDAY, MARCH 6, 1996 -- SEVENTIETH LEGISLATIVE DAY**

Rep. Callicott moved that House Bill No. 2889 be passed on third and final consideration.

Rep. Bowers moved adoption of Amendment No. 1.

Rep. Callicott requested that House Bill No. 2889 be moved to the heel of the Calendar.

**House Bill No. 2333** -- Tennessee Regulatory Authority - Prohibits TRA directors from entering into employment, consulting, or representation arrangement with entity or entity's subcontractors regulated by TRA for one year period after leaving TRA. Amends TCA Section 65-1-202. by \*Buck. (\*SB1961 by \*Cohen, \*McNally, \*Gilbert, \*Fowler, \*Cooper, \*Jordan, \*Miller J)

Further consideration of House Bill No. 2333, previously considered on March 4, 1996, at which time it was objected to on the Consent Calendar, and reset to today's Calendar.

On motion, House Bill No. 2333 was made to conform with **Senate Bill No. 1961**; the Senate Bill was substituted for the House Bill.

Rep. Buck moved that Senate Bill No. 1961 be passed on third and final consideration.

Rep. Boyer moved the previous question, which motion prevailed.

Rep. Buck moved that **Senate Bill No. 1961** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.....	90
Noes .....	0
Present and not voting.....	3

Representatives voting aye were: Armstrong, Arriola, Beavers, Bell, Bird, Bittle, Bowers, Boyer, Bragg, Brooks, Brown, Buck, Burchett, Byrd, Callicott, Cantrell, Chumney, Clabough, Coffey, Cross, Curtiss, Davidson, Davis, DeBerry, J., DeBerry, L., Duer, Dunn, Fitzhugh, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Head, Herron, Hicks, Huskey, Jackson, Jones, R. (Shelby), Jones, S., Jones, U. (Shelby), Joyce, Kent, Kernell, Kerr, Kisber, Langster, Lewis, McAfee, McDaniel, McDonald, McKee, McMillan, Napier, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Roach, Robinson, Sharp, Shirley, Stamps, Stulce, Tindell, Turner (Shelby), Venable, Walley, West, Westmoreland, White, Whitson, Williams (Union), Williams (Williamson), Windle, Winningham, Wood -- 90.

Representatives present and not voting were: Ford, Turner (Hamilton), Mr. Speaker Naifeh -- 3.

A motion to reconsider was tabled.

**House Bill No. 2158** -- Sunset Laws - Home improvement commission, June 30, 2004. Amends TCA Title 4, Chapter 29 and Title 62, Chapter 37. by \*Kernell, \*Garrett, \*Brooks. (\*SB1984 by \*Haynes)

**WEDNESDAY, MARCH 6, 1996 -- SEVENTIETH LEGISLATIVE DAY**

Further consideration of House Bill No. 2158, previously considered on March 4, 1996, at which time it was objected to on the Consent Calendar, and reset to today's Calendar.

Rep. Kernell moved that House Bill No(s). 2158 be reset to the Regular Calendar for March 27, 1996, which motion prevailed.

**House Bill No. 3081** -- Telecommunications - Adds unauthorized use of wireless telecommunication services to offense of theft of services. by \*Hargrove, \*Stamps. (\*SB2676 by \*Rochelle)

Rep. Hargrove moved that House Bill No. 3081 be passed on third and final consideration.

Rep. Buck moved adoption of Judiciary Committee Amendment No. 1 as follows:

**Amendment No. 1**

AMEND House Bill No. 3081 by adding the following as a new section immediately preceding the effective date section and by renumbering the effective date section accordingly:

Section \_\_\_\_\_. The provisions of this act shall be null and void unless the general appropriations act provides an appropriation for the estimated first year's funding pursuant to Article II, Section 24, of the constitution of the state of Tennessee.

On motion, Amendment No. 1 was adopted.

Rep. Buck moved adoption of Judiciary Committee Amendment No. 2 as follows:

**Amendment No. 2**

AMEND House Bill No. 3081 by deleting the word "book" at the end of subsection (c)(2) of Section\_\_\_\_ of the amendatory language of SECTION 1 and substituting instead the following:

book, or electronically, including without limitation, by computer, electronic mail, or paging device

On motion, Amendment No. 2 was adopted.

Rep. Buck moved adoption of Judiciary Committee Amendment No. 3 as follows:

**Amendment No. 3**

AMEND House Bill No. 3081 by deleting from the second sentence of subsection (c)(6) of the amendatory language of Section\_\_\_\_ of Section 1 the words "The term includes" and substituting instead the words "The term includes scanners that are capable of intercepting electronic serial numbers, pin codes or mobile identification numbers. The term also includes".

FURTHER AMEND by deleting the final sentence of subsection (c)(6) of the amendatory language of Section \_\_\_\_ of Section 1 and substituting instead the following:

This section shall not apply to any device operated by a law enforcement agency or a wireless carrier in the normal course of its activities.

On motion, Amendment No. 3 was adopted.

Rep. Hargrove moved adoption of Amendment No. 4 as follows:

**Amendment No. 4**

AMEND House Bill No. 3081 by deleting from Section \_\_\_\_ (a)(3) of the amendatory language of SECTION 1 the language "device," and substituting instead the language "device with the intent of promoting the making or assembling or using of an unlawful telecommunications device,".

FURTHER AMEND by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

Section \_\_\_\_ . If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

On motion, Amendment No. 4 was adopted.

Rep. Hargrove moved that **House Bill No. 3081**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.....	95
Noes .....	0
Present and not voting.....	1

Representatives voting aye were: Armstrong, Arriola, Beavers, Bell, Bird, Bittle, Bowers, Boyer, Bragg, Brooks, Brown, Buck, Burchett, Byrd, Callicott, Cantrell, Chumney, Clabough, Coffey, Cross, Curtiss, Davidson, Davis, DeBerry, J., DeBerry, L., Duer, Dunn, Eckles, Fitzhugh, Ford, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Harwell, Hargrove, Hassell, Head, Herron, Hicks, Huskey, Jackson, Jones, S., Jones, U. (Shelby), Joyce, Kent, Kernell, Kerr, Kisber, Langster, Lewis, McAfee, McDaniel, McDonald, McMillan, Miller, Napier, Newton, Odom, Patton, Peach, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Roach, Robinson, Sharp, Shirley, Stamps, Stulce, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, White, Whitson, Williams (Union), Williams (Williamson), Windle, Winningham, Wood, Mr. Speaker Naifeh -- 95.



Representatives present and not voting were: McKee -- 1.

A motion to reconsider was tabled.

### REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member(s) desire to change their original stand from present and not voting to aye on 3081 and have this statement entered in the Journal: Rep(s). McKee.

### REGULAR CALENDAR, CONTINUED

**\*House Bill No. 1990** -- Medical Occupations - Revises scope and limitations of medical laboratory testing; exempts certain facilities from Medical Laboratory Act; increases medical laboratory board from 11 to 13 members. Amends TCA Title 68, Chapter 29, Part 1. by \*Walley. (SB2051 by \*Holcomb)

On motion, House Bill No. 1990 was made to conform with **Senate Bill No. 2051**; the Senate Bill was substituted for the House Bill.

Rep. Walley moved that Senate Bill No. 2051, be passed on third and final consideration.

On motion, Rep. Byrd withdrew Health and Human Resources Committee Amendment No. 1.

On motion, Rep. Byrd withdrew Health and Human Resources Committee Amendment No. 2.

Rep. Byrd moved adoption of Amendment No. 3 as follows:

### Amendment No. 3

AMEND Senate Bill No. 2051 by deleting subdivision (7) in Section 4 in its entirety, as amended by the Senate, and by substituting instead the following language:

(8) Laboratories under the jurisdiction of county health departments in the state of Tennessee and such other laboratories as defined by the board;

AND FURTHER AMEND Section 4 by designating subdivisions (8) and (9) as subdivisions (9) and (10), respectively.

AND FURTHER AMEND by deleting the second amendatory section of Section 1 which added a new definition for "Collection station", and by substituting instead the following language:

( ) "Collection station" means any place or entity which has as its primary purpose either the collection of specimens directly from patients or the bringing together of specimens after collection for the purpose of referral to a medical laboratory where testing is performed;

AND FURTHER AMEND by adding the following language as new sections immediately preceding the effective date section, and by renumbering the effective date section accordingly:

SECTION 12. Tennessee Code Annotated, Section 68-29-121(a), is amended by inserting the language "or other health care professional legally permitted to submit to a medical laboratory a written request for tests appropriate to that professional's practice" between the word "dentist" and the word "or".

SECTION 13. Tennessee Code Annotated, Section 68-29-121(b), is amended by deleting the words "or dentist" and by substituting instead the language ", dentist or other health care professional".

SECTION 14. Tennessee Code Annotated, Section 68-29-122, is amended by inserting the language "other health care professional legally permitted to supervise the collection of specimens," between the word and punctuation "dentist," and the words "medical laboratory director".

On motion, Amendment No. 3 was adopted.

Rep. Walley moved that **Senate Bill No. 2051**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	95
Noes .....	0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bell, Bird, Bittle, Bowers, Boyer, Bragg, Brown, Buck, Burchett, Byrd, Callicott, Cantrell, Chumney, Clabough, Coffey, Cross, Curtiss, Davidson, Davis, DeBerry, J., DeBerry, L., Duer, Eckles, Fitzhugh, Ford, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Head, Herron, Hicks, Huskey, Jackson, Jones, R. (Shelby), Jones, S., Jones, U. (Shelby), Joyce, Kent, Kernell, Kerr, Kisber, Langster, Lewis, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Napier, Newton, Odom, Patton, Peach, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Roach, Robinson, Sharp, Shirley, Stamps, Stulce, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, White, Whitson, Williams (Union), Williams (Williamson), Windle, Winningham, Wood, Mr. Speaker Naifeh – 95.

A motion to reconsider was tabled.

**Senate Bill No. 2061** -- Insurance Companies, Agents, Brokers - Enacts "Risk Based Capital for Insurers Act."; clarifies that working papers and examination records are confidential; revises Medicare Supplement Minimum Standards Act. - Amends TCA Title 56, Chapters 1, 2 and 7. by \*Koella, \*Haun, \*McNally, \*Atchley, \*Elsea, \*Crowe. (\*HB2019 by \*Wood, \*Bittle, \*Kent)

Further consideration of Senate Bill No. 2061, previously considered on today's Calendar, at which time the Senate Bill was substituted for the House Bill.

**WEDNESDAY, MARCH 6, 1996 -- SEVENTIETH LEGISLATIVE DAY**

Rep. Wood moved that Senate Bill No(s). 2061 be reset to the Regular Calendar for March 11, 1996, which motion prevailed.

**House Bill No. 2889** -- Municipal Government - Specifies that cities within specified distances from existing cities may incorporate under certain circumstances. Amends TCA Title 6. by \*Callicott. (\*SB3058 by \*Jordan)

Further consideration of House Bill No. 2889, previously considered on today's Calendar at which time the House was on the motion to adopt Amendment No. 1.

Rep. Bowers moved that Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Callicott moved adoption of Amendment No. 2 as follows:

**Amendment No. 2**

AMEND House Bill No. 2889 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

Section \_\_\_\_\_. The provisions of this act shall only apply in counties having a population of not less than 80,000 nor more than 83,000 according to the 1990 federal census or any subsequent federal census.

On motion, Amendment No. 2 was adopted.

Rep. Callicott moved that **House Bill No. 2889**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes ..... 96  
Noes ..... 0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bell, Bird, Bittle, Bowers, Boyer, Bragg, Brooks, Brown, Buck, Burchett, Byrd, Callicott, Cantrell, Chumney, Clabough, Coffey, Cross, Curtiss, Davidson, Davis, DeBerry, J., DeBerry, L., Duer, Dunn, Eckles, Fitzhugh, Ford, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Head, Herron, Hicks, Huskey, Jackson, Jones, S., Jones, U. (Shelby), Joyce, Kent, Kernell, Kerr, Kisber, Langster, Lewis, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Napier, Newton, Odom, Patton, Peach, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Roach, Robinson, Sharp, Shirley, Stamps, Stulce, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, White, Whitson, Williams (Union), Williams (Williamson), Windle, Winningham, Wood, Mr. Speaker Naifeh -- 96.

A motion to reconsider was tabled.

MESSAGE CALENDAR

HOUSE ACTION ON SENATE AMENDMENTS

**House Bill No. 1335** -- Insurance, Health, Accident - Provides for reimbursement on insured or other person entitled to benefits under policy of insurance for services rendered by duly licensed nurse. Amends TCA Title 56, Chapter 7, Part 24. by \*Odom, \*Halteman Harwell, \*Ridgeway, \*Brown. (\*SB1058 by \*Crutchfield, \*O'Brien, \*Rice)

**Senate Amendment No. 2**

AMEND House Bill No. 1335 by deleting from the amendatory language of Section 1 (c) the language "July 1, 1995" and substituting instead the language "July 1, 1996".

AND FURTHER AMEND by deleting the effective date section in its entirety and substituting instead the following:

SECTION \_\_\_\_\_. This act shall take effect July 1, 1996, the public welfare requiring it.

Rep. Odom moved that the House concur in Senate Amendment(s) No(s). 2 to **House Bill No. 1335**, which motion prevailed by the following vote:

Ayes.....	97
Noes .....	0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bell, Bird, Bittle, Bowers, Boyer, Bragg, Brooks, Brown, Buck, Burchett, Byrd, Callicott, Cantrell, Chumney, Clabough, Coffey, Cross, Curtiss, Davidson, Davis, DeBerry, J., DeBerry, L., Duer, Dunn, Eckles, Fitzhugh, Ford, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Head, Herron, Hicks, Huskey, Jackson, Jones, R. (Shelby), Jones, S., Jones, U. (Shelby), Joyce, Kent, Kernell, Kerr, Kisber, Langster, Lewis, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Napier, Newton, Odom, Patton, Peach, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Roach, Robinson, Sharp, Shirley, Stamps, Stulce, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, White, Whitson, Williams (Union), Williams (Williamson), Windle, Winningham, Wood, Mr. Speaker Naifeh -- 97.

A motion to reconsider was tabled.

**House Bill No. 2119** -- Sunset Laws - Tennessee Duck River development agency, board of directors, June 30, 2002; adds representative from Hickman County to agency. Amends TCA Title 4, Chapter 29 and Title 64, Chapter 1. by \*Kernell, \*Garrett, \*Brooks. (\*SB2015 by \*Haynes)

**Senate Amendment No. 1**

AMEND Senate Bill No. 2015 by deleting in Section 4 of the printed bill the word and figure "sixteen (16)" and by substituting instead the word and figure "seventeen (17)".

AND FURTHER AMEND by deleting in Section 5 of the printed bill the language "three (3) for terms of six (6) years" and by substituting instead the language "four (4) for terms of six years".

Rep. Kernell moved that the House concur in Senate Amendment(s) No(s). 1 to **House Bill No. 2119**, which motion prevailed by the following vote:

Ayes..... 97  
Noes ..... 0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bell, Bird, Bittle, Bowers, Boyer, Bragg, Brooks, Brown, Buck, Burchett, Byrd, Callicott, Cantrell, Chumney, Clabough, Coffey, Cross, Curtiss, Davidson, Davis, DeBerry, J., DeBerry, L., Duer, Dunn, Eckles, Fitzhugh, Ford, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Head, Herron, Hicks, Huskey, Jackson, Jones, R. (Shelby), Jones, S., Jones, U. (Shelby), Joyce, Kent, Kernell, Kerr, Kisber, Langster, Lewis, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Napier, Newton, Odom, Patton, Peach, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Roach, Robinson, Sharp, Shirley, Stamps, Stulce, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, White, Whitson, Williams (Union), Williams (Williamson), Windle, Winningham, Wood, Mr. Speaker Naifeh -- 97.

A motion to reconsider was tabled.

**ANNOUNCEMENTS**

**RULES SUSPENDED**

Rep. Purcell moved to suspend the rules to refer House Bill No. 2953 to the House Finance, Ways & Means Committee so that it may be placed on notice to be heard in the Budget Subcommittee on Thursday, March 7, 1996, which motion prevailed.

**SPONSORS ADDED**

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

**House Bill No. 765:** Rep(s). Hassell as prime sponsor(s).

**House Bill No. 2112:** Rep(s). Brooks as prime sponsor(s).

**House Bill No. 2274:** Rep(s). Callicott as prime sponsor(s).

**WEDNESDAY, MARCH 6, 1996 -- SEVENTIETH LEGISLATIVE DAY**

**House Bill No. 2478:** Rep(s). Brooks as prime sponsor(s).

**House Bill No. 2479:** Rep(s). Brooks as prime sponsor(s).

**House Bill No. 2781:** Rep(s). Boyer, Westmoreland, Buck, Newton and Bird as prime sponsor(s).

**House Bill No. 2568:** Rep(s). Patton, Kerr and McDaniel as prime sponsor(s).

**House Bill No. 2682:** Rep(s). Bittle as prime sponsor(s).

**House Bill No. 2812:** Rep(s). Cantrell as prime sponsor(s).

**House Bill No. 2851:** Rep(s). Brooks as prime sponsor(s).

**House Bill No. 2872:** Rep(s). Brooks as prime sponsor(s).

**House Bill No. 2925:** Rep(s). Brooks as prime sponsor(s).

**House Bill No. 2976:** Rep(s). Brooks as prime sponsor(s).

**House Bill No. 2986:** Rep(s). Gunnels as prime sponsor(s).

**House Bill No. 3051:** Rep(s). Pruitt as prime sponsor(s).

**House Bill No. 3134:** Rep(s). Gunnels as prime sponsor(s).

**SPONSORS REMOVED**

On motion, Rep(s). Bragg was/were removed as first prime sponsor(s) of **House Bill No. 2346**.

On motion, Rep(s). West was/were removed as sponsor(s) of **House Bill No. 2681**.

On motion, Rep(s). Bell was/were removed as sponsor(s) of **House Bill No. 2909**.

**ENROLLED BILLS**

**March 6, 1996**

The following bills have been compared, enrolled, and are ready for the signature(s) of the Speaker(s): House Joint Resolution(s) No(s). 161; also, House Resolution(s) No(s). 179.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**SIGNED**

**March 6, 1996**

The Speaker signed the following: House Joint Resolution(s) No(s). 161; also, House Resolution(s) No(s). 179.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**WEDNESDAY, MARCH 6, 1996 -- SEVENTIETH LEGISLATIVE DAY**

**ENGROSSED BILLS**

**March 6, 1996**

The following bill(s) have been examined, engrossed, and are ready for transmission to the Senate: House Joint Resolution(s) No(s). 455, 457 and 459.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**MESSAGE FROM THE SENATE**

**March 6, 1996**

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 445, 446, 450 and 452; all concurred in by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**ENGROSSED BILLS**

**March 6, 1996**

The following bill(s) have been examined, engrossed, and are ready for transmission to the Senate: House Bill(s) No(s). 2562 and 2673.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**ENGROSSED BILLS**

**March 6, 1996**

The following bill(s) have been examined, engrossed, and are ready for transmission to the Senate: House Bill(s) No(s). 2825 and 2829.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**MESSAGE FROM THE SENATE**

**March 6, 1996**

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 456; concurred in by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**ENROLLED BILLS**

**March 6, 1996**

The following bills have been compared, enrolled, and are ready for the signature(s) of the Speaker(s): House Joint Resolution(s) No(s). 445, 446, 450, 452 and 456; also, House Resolution(s) No(s). 184 and 185.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**SIGNED**

**March 6, 1996**

**WEDNESDAY, MARCH 6, 1996 -- SEVENTIETH LEGISLATIVE DAY**

The Speaker signed the following: House Joint Resolution(s) No(s). 445, 446, 450, 452 and 456; also, House Resolution(s) No(s). 184 and 185.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**MESSAGE FROM THE SENATE**

**March 6, 1996**

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 2064, 2097, 2182, 2220, 2435, 2714 and 3070 ; all passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**Senate Bill No. 2064** -- Correction, Dept. of - Requires commissioner to notify law enforcement officials as soon as practicable if inmate furlough authorized less than five days before release of inmate. Amends TCA Section 41-21-239. by \*McNally, \*Haun, \*Holcomb, \*Crowe, \*Atchley, \*Elsea, \*Rice, \*Hamilton, \*Carter, \*Leatherwood, \*Burks, \*Rice, \*Crowe, \*Haun.

**Senate Bill No. 2097** -- Intergovernmental Relations - Requires intergovernmental relations commission to conduct annual inventory of needed infrastructure. Amends TCA Title 4, Chapter 10 and Section 67-9-102(b)(3). by \*Rochelle.

**Senate Bill No. 2182** -- Bail, Bail Bonds - Replaces requirement that victim be sent certified copy of any conditional release conditions placed upon defendant with requirement that victim be sent copy at last known address or given copy if present when conditions imposed. Amends TCA Title 40, Chapter 11, Part 1 and Title 40, Chapter 7, Part 1. by \*Kyle.

**\*Senate Bill No. 2220** -- Highways, Roads and Bridges - Prohibits excluding business establishment from participating in logo sign program merely because such establishment does not serve breakfast. Amends TCA Title 54, Chapter 5, Part 11. by \*Haun.

**\*Senate Bill No. 2435** -- Handicapped Persons - Changes "severely handicapped" to "severely disabled"; changes advisory committee to committee to purchase from the blind and other severely disabled; revises language from workshops to work centers; expands authority of committee to recommend and evaluate fair market price for commodities which recovers cost for work center. Amends TCA Section 4-29-221 and Title 71, Chapter 4, Part 7. by \*Dixon.

**\*Senate Bill No. 2714** -- Insurance Companies, Agents, Brokers - Requires premium finance company that willfully violates provisions concerning financing of premiums to refund all interest and any fee paid in addition to Class C misdemeanor violation. - Amends TCA Section 56-37-113. by \*Kyle.

**\*Senate Bill No. 3070** -- Barbers - Requires board of barber examiners to issue certain special certificates of registration under certain circumstances. Amends TCA Title 62, Chapter 3, Part 1. by \*Rochelle.



**ROLL CALL**

The roll call was taken with the following results:

Present ..... 96

Representatives present were: Armstrong, Arriola, Beavers, Bell, Bird, Bittle, Bowers, Boyer, Bragg, Brooks, Brown, Buck, Burchett, Byrd, Callicott, Cantrell, Chumney, Clabough, Coffey, Cross, Curtiss, Davidson, Davis, DeBerry, J., DeBerry, L., Duer, Dunn, Eckles, Fitzhugh, Ford, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Harwell, Hargrove, Hassell, Head, Herron, Hicks, Huskey, Jackson, Jones, R. (Shelby), Jones, S., Jones, U. (Shelby), Joyce, Kent, Kernell, Kerr, Kisber, Langster, Lewis, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Newton, Odom, Patton, Peach, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Roach, Robinson, Sharp, Shirley, Stamps, Stulce, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, White, Whitson, Williams (Union), Williams (Williamson), Windle, Winningham, Wood, Mr. Speaker Naifeh -- 96.

**RECESS MOTION**

On motion of Rep. Purcell, the House recessed until 9:00 a.m., Thursday, February 7, 1996.